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FILED
DISTRICT COURT OF GUAM

AUG 27 2008

JEANNE G. QUINATA
Clerk of Court

08-00043

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NATARAJAN GURUMOORTHY,

Defendant

CRIMINAL CASE NO. _____

INDICTMENT

**POSSESSION OF MORE THAN
FIFTEEN COUNTERFEIT AND
UNAUTHORIZED ACCESS DEVICES**
[18 U.S.C. § 1029(a)(3)](Count 1)

**POSSESSION OF DEVICE
MAKING EQUIPMENT**
[18 U.S.C. § 1029(a)(4)](Count 2)

FORFEITURE ALLEGATION
[18 U.S.C. §§ 1029 and 982](Count 3)

THE GRAND JURY CHARGES THAT:

INTRODUCTORY ALLEGATIONS

Definitions:

1. For purposes of this indictment, "access device" is defined as any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds.

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1 2. For purposes of this indictment, "counterfeit access device" means any access
2 device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access
3 device or a counterfeit access device.

4 3. For purposes of this indictment, "unauthorized access device" means any access
5 device that is lost, stolen, expired, revoked, canceled, or obtained with intent to defraud.

6 4. For purposes of this indictment, "device-making equipment" means any
7 equipment, mechanism, or impression designed or primarily used for making an access device or
8 a counterfeit access device.

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10 **COUNT I - POSSESSION OF MORE THAN**
FIFTEEN UNAUTHORIZED ACCESS DEVICES

11 The Introductory Allegations are re-alleged and incorporated in Count One.

12 On or about August 15, 2008, in the District of Guam and elsewhere, the defendant
13 herein, NATARAJAN GURUMOORTHY, did knowingly and with the intent to defraud possess
14 fifteen or more counterfeit and unauthorized access devices, namely sixty (60) credit card
15 numbers and associated personal identification numbers, and such conduct having an affect on
16 interstate and foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

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18 **COUNT II - POSSESSION OF DEVICE MAKING EQUIPMENT**

19 The Introductory Allegations are re-alleged and incorporated in Count Two.

20 On or about August 15, 2008, in the District of Guam and elsewhere, the defendant
21 herein, NATARAJAN GURUMOORTHY, did knowingly and with the intent to defraud, have
22 control, custody, and possession of device making equipments, namely, one (1) Toshiba laptop
23 computer (serial number 66113488W) containing an additional twenty-seven (27) unauthorized
24 credit card numbers and associated personal identification numbers, and one (1) Maxpos
25 reader/encoder, and said control, custody and possession having an affect on interstate and
26 foreign commerce, in violation of Title 18, United States Code, Section 1029(a)(4).

COUNT III - FORFEITURE ALLEGATION

As the result of committing one or both of the foregoing offenses in violation of Title 18, United States Code, Sections 1029(a)(3) and (a)(4) alleged in Counts One and Two of the Indictment, defendant, NATARAJAN GURUMOORTHY shall forfeit to the United States pursuant to:

1. Title 18, United States Code, Section 1029(c)(1)(C) - his interest in any personal property used or intended to be used to commit the offense, including but not limited to: one (1) Toshiba laptop computer (serial number 66113488W); one (1) Maxpos reader/encoder; one (1) Toshiba power cord, 220 volt; one (1) power cord SPU-42; and one (1) generic power cord, 220 volt;
 2. Title 18, United States Code, Section 982(a)(2)(B) - all property constituting or derived from proceeds obtained directly or indirectly as the result of such violations.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant: (1) cannot be located; (2) has been transferred or sold, or deposited with a third person; (3) has been placed beyond the jurisdiction of the court; (4) has been substantially diminished in value; and/or (5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

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1 All in violation of Title 18, United States Code, Sections 1029 and 982.
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3 Dated this 27th day of August, 2008.
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6 A TRUE BILL.
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8 IREDACTED
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10 LEONARDO M. RAPADAS
11 United States Attorney
12 Districts of Guam and NMI
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16 By: MARIVIC P. DAVID
17 Assistant U.S. Attorney
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19 Reviewed:
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22 By: Jeffrey J. Strand
23 First Assistant U.S. Attorney
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Criminal Case Cover Sheet**Place of Offense:**City Hagåtña**Related Case Information:**Country/Parish N/ASuperseding Indictment _____ Docket Number 08-00043Same Defendant X New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:Juvenile: Yes No X Matter to be sealed: Yes X NoDefendant Name Natarajan Gurumoorthy

Allisas Name _____

Address _____

R E C E I V E D
AUG 27 2008

DISTRICT COURT OF GUAM
HAGATNA, GUAM

Birth date XX/XX/1967 SS# N/A Sex M Race A Nationality Malaysian**U.S. Attorney Information:**AUSA Marivic P. DavidInterpreter: X No YesList language and/or dialect: N/A**Location Status:**

Arrest Date _____

- Already in Federal Custody as of _____ in _____
 Already in State Custody
 On Pretrial Release

U.S.C. Citations

Total # of Counts:	Index Key/Code	Petty _____ Misdemeanor <u>X</u> Felony	Count(s)
Set 1	<u>18 U.S.C. § 1029(a)(3)</u>	<u>POSSESSION OF MORE THAN FIFTEEN UNAUTHORIZED ACCESS DEVICES</u>	<u>1</u>
Set 2	<u>18 U.S.C. § 1029(a)(4)</u>	<u>POSSESSION OF DEVICE MAKING EQUIPMENT</u>	<u>2</u>
Set 3	<u>18 U.S.C. §§ 1029 and 982</u>	<u>FORFEITURE ALLEGATION</u>	<u>3</u>
Set 4		(Continued on reverse) <i>[Handwritten signature]</i>	

Date: 8/29/08 Signature of AUSA: _____